

LABOR SERVICES DIVISION[875]

Notice of Intended Action

**Proposing rule making related to contractor registration
and providing an opportunity for public comment**

The Labor Services Division hereby proposes to amend Chapter 150, “Construction Contractor Registration,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 91C.6.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapter 91C.

Purpose and Summary

The first item would amend the definition of “contractor” to reduce confusion over the scope of coverage. The second item would cause the rules to conform to Iowa Code chapter 91C as amended by 2017 Iowa Acts, Senate File 411.

Fiscal Impact

This rule making will reduce the funds received by the contractor registration fund by a small amount.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Applicable waiver procedures are set forth in 875—Chapter 1.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Commissioner no later than 4:30 p.m. on February 7, 2018. Comments should be directed to:

Kathleen Uehling
Labor Services Division
1000 East Grand Avenue
Des Moines, Iowa 50319-0209
Email: kathleen.uehling@iwd.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

February 7, 2018, at 9 a.m.
150 Des Moines St.
Des Moines, Iowa
(If requested)

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should telephone 515.725.5615 and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its regular monthly meeting or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule **875—150.2(91C)**, definition of "Contractor," as follows:

"Contractor" means a person who engages in the business of construction as the term is defined in 871—23.82(96), for purposes of the Iowa employment security law, including subcontractors and special trade contractors. ~~Also included are persons who conduct or perform construction on an incidental or occasional basis, regardless of whether the person is classified as being engaged in construction by the unemployment insurance services division of the workforce development department.~~

ITEM 2. Amend paragraph **150.4(11)"a"** as follows:

a. File a \$25,000 surety bond ~~in the amount of \$25,000 for a one-year period~~ that is prepared using the bond form provided by the division, or